

Remarks

Favorable reconsideration of this application, in view of the above amendments and in light of the following remarks and discussion, is respectfully requested.

Claims 1-24, 38, 40, 41, and 44 are currently pending in the application; Claims 1, 8, 10, 12, 14, 17, and 20 having been amended, Claims 25-37, 39, 42, and 43 having been canceled without prejudice or disclaimer, and new dependent Claim 44 having been added, by way of the present response. Applicants respectfully assert that support for the changes to the claims is self-evident from the originally filed disclosure, including the original claims, and that therefore no new matter has been added.

In the outstanding Office Action a new title was required; Claim 12 was objected to; Claims 20-23 were rejected under 35 U.S.C. § 112; Claims 1, 7, and 38 were rejected under the judicially created doctrine of obviousness-type double patenting over Claim 1 of U.S. Patent No. 6,456,313 to Hiyoshi; and Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Publication No. 11-58812 to Obinata et al. (Obinata) and as being anticipated by U.S. Patent No. 5,870,128 to Yazawa et al. (Yazawa).

Initially, Applicants express thanks for the Examiner's indication that Claims 2-6, 40, and 41 are allowed.

Applicants further express thanks for the Examiner's indication that Claims 8-19 and 24 recite allowable subject matter, such that the claims although having been objected to would be allowable if rewritten in independent form. In response, Applicants have so-rewritten Claims 8, 10, and 14. Claims 9, 11-13, 15, 16, and 24 depend from independent Claims 8, 10, and 14. Further, by amendment to the claims, Claims 17-19 ultimately depend from independent Claim 2. Thus, Applicants respectfully request the allowance of Claims 8-19 and 24.

Applicants still further express thanks for the Examiner's indication that Claims 20-23 recite allowable subject matter and therefore would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112 and in independent form. For the reasons discussed in detail below, Applicants respectfully assert that the rejection of Claims 20-23 under 35 U.S.C. § 112 has been overcome. Further, by amendment to the claims, Claims 20-23 ultimately depend from independent Claim 2. Thus, Applicants respectfully request the allowance of Claims 20-23.

As stated above a new title was required. In response, Applicants have amended the title to state "OPTICAL WRITE APPARATUS INCLUDING A PLURALITY OF SUBSTRATES."

As stated above Claim 12 was objected to because of informalities. In response, Applicants have amended Claim 12 to depend from Claim 11, thereby providing antecedent basis for the claimed features of "the external force," "the first external force unit," and "the connecting member," in accordance with the Examiner's helpful suggestion. Thus, Applicants respectfully request that the objection to Claim 12 be withdrawn.

As stated above Claims 20-23 were rejected under 35 U.S.C. § 112, second paragraph. In response, Applicants have amended Claim 20 to depend from Claim 17, and have amended Claim 17 to depend from Claim 2, thereby providing antecedent basis for the claimed features of "the auxiliary member" and "the vertical direction adjusting unit." Thus, Applicants respectfully request that the rejection of Claims 20-23 under 35 U.S.C. § 112, second paragraph, be withdrawn.

As stated above Claims 1, 7, and 38 were rejected under the judicially created doctrine of obviousness-type double patenting over Claim 1 of Hiyoshi. Without conceding to the propriety of the rejection, Applicants respectfully submit herewith a terminal disclaimer in compliance with 37 C.F.R. 1.321(c) to overcome the rejection. Thus,

Applicants respectfully request that the rejection of Claims 1, 7, and 38 under the judicially created doctrine of obviousness-type double patenting be withdrawn.

Applicants respectfully assert that the outstanding grounds of rejection of independent Claims 7 and 38 have been overcome. Thus, Applicants respectfully request the allowance of Claims 7 and 38.

As stated above Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Obinata and as being anticipated by Yazawa. Applicants respectfully assert that the amendment to Claim 1 have overcome the rejection for the following reasons.

The present invention recited in independent Claim 1 is directed to an optical write apparatus. Specifically, independent Claim 1 recites a plurality of substrates each having a number of light emitting diodes aligned in one direction, the plurality of substrates being shifted from each other in the aligning direction of the light emitting diodes to overlap in a direction disposed at an angle to the aligning direction of the light emitting diodes. Two substrates adjacent to each other in the aligning direction of the light emitting diodes are fixed to each other.

Obinata is directed to an LED print head. As shown in Figure 2, for example, of Obinata, the print head includes multiple substrates 1 on which LED array chips 2 are mounted.¹

Applicants respectfully assert that Obinata does not teach, or render obvious, however, the claimed features of a plurality of substrates each having a number of light emitting diodes aligned in one direction and being shifted from each other in the aligning direction of the light emitting diodes to overlap in a direction disposed at an angle to the aligning direction, as recited in independent Claim 1. Specifically, Applicants respectfully assert that Obinata does not show or state the substrates 1 aligned in one direction and being

¹ English language abstract.

shifted from each other in the aligning direction to overlap in a direction disposed at an angle to the aligning direction, for example.

In particular, independent Claim 1 recites “a plurality of substrates each having a number of light emitting diodes aligned in one direction, the plurality of substrates being shifted from each other in the aligning direction of the light emitting diodes to overlap in a direction disposed at an angle to the aligning direction of the light emitting diodes.” Thus, Applicants respectfully request that this rejection of independent Claim 1 under 35 U.S.C. § 102(b) be withdrawn.

Yazawa is directed to a LED device assembly. As shown in the figures of Yazawa, light emitting device arrays 1 consist of a plurality of light-emitting devices.²

Applicants respectfully assert that Yazawa does not teach, or render obvious, however, the claimed features of a plurality of substrates each having a number of light emitting diodes aligned in one direction and being shifted from each other in the aligning direction of the light emitting diodes to overlap in a direction disposed at an angle to the aligning direction, as recited in independent Claim 1. Specifically, Applicants respectfully assert that Yazawa does not show or state the arrays 1 aligned in one direction and being shifted from each other in the aligning direction to overlap in a direction disposed at an angle to the aligning direction, for example. Thus, Applicants respectfully request that this rejection of independent Claim 1 under 35 U.S.C. § 102(b) be withdrawn.

Applicants respectfully assert that the outstanding grounds of rejection of independent Claim 1 have been overcome for the above reasons, and therefore respectfully request the allowance of independent Claim 1.

² Column 3, lines 16-18.

Applicants further respectfully assert that Claim 44 is allowable for reasons similar to those of independent Claim 1 from which it depends, as well as for its own features. Thus, Applicants respectfully request the allowance of dependent Claim 44.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-24, 38, 40, 41, and 44 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

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Respectfully submitted,

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